

Republic of the Philippines
REGIONAL TRIAL COURT
Third Judicial Region
BRANCH 5
Dinalupihan, Bataan

IN RE: PETITION FOR ISSUANCE OF
SECOND OWNER'S DUPLICATE COPY
OF TCT NO. 183181 OF THE REGISTER
OF DEEDS OF BATAAN

LRC CASE NO. 322-18

AIMEE M. UMALI,
Petitioner,

x-----x

ORDER

This is a verified Petition for Issuance of Second Owner's Duplicate Copy of TCT No. 183181 of the Register of Deeds filed by the petitioner through counsel invoking Section 109 of Presidential Decree No. 1529. The Petition prays to the court to declare the missing Owner's Duplicate Copy of Transfer Certificate of Title (TCT) No. T-183181 as null and void and of no further force and effect, and after due notice and hearing, an order be issued directing the Register of Deeds of Bataan to issue in lieu thereof its owner's duplicate certificate of title which shall in respect be entitled to like faith and credit as the original one which was lost and shall bear a memorandum of the fact that they are issued in lieu of the first one that was lost.

The Petition states in sum the following:

Petitioner is of legal age, Filipino, married and a resident of Barangay Happy Valley, Dinalupihan, Bataan. She has acquired ownership over a parcel of land situated at Barangay Pinulot, Dinalupihan, Bataan and covered by Transfer Certificate of Title No. T-183181 (TCT No. T-183181) via Extra-judicial Settlement of Estate with Absolute Deed of sale executed on May 24, 2011 by the heirs of the late Roberto K. Limjuco who died on April 5, 2005 in Dinalupihan, Bataan, in whose name the said property was registered, copy of the same is attached as Annex "A".

Contemporaneous with the execution of the Extra-judicial Settlement of Estate with Absolute Deed of Sale, the vendee gave and delivered to the petitioner the owner's duplicate copy of TCT No. T-183181, certified copy of title attached as Annex "B".

Petitioner never delivered said titles to any person/s, be it natural or juridical, or to any other entity, in answer of credit or obligation of whatever form, kind, nature or description.

In order to protect the integrity of the missing title, petitioner executed an affidavit of loss and registered the same with the Register of Deeds of Bataan, certified copy of the Affidavit of Loss registered with the Registry of Deeds for the Province of Bataan attached as Annex "C" and the fact of its annotation on the

subject title appearing on the Memorandum of Encumbrances is marked as Annex "C-1".

Attached as Annex "D" is the Tax Declaration of the subject land title and the official receipt in the name of the petitioner showing payment of realty tax, attached as Annex "D-1".

It is imperative that the owner's duplicate copy of the missing TCT No. T-183181 be issued for purposes of registration of the property in the name of the petitioner.

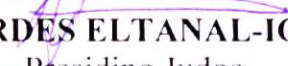
Finding the petition to be sufficient in form and substance, let the hearing of this petition (presentation of jurisdictional requirements) be set on **November 26, 2018 at 8:30 in the morning** before this court at which date, time and place all persons interested in this petition are cited to appear and show cause, if any, why the prayer of this petition should not be granted.

The Process Server of this court is directed to cause the posting of this Order at three (3) conspicuous places, particularly at the following places: (1) Hall of Justice, Dinalupihan, Bataan; (2) Municipal Hall of Dinalupihan, Bataan and (3) Brgy. Pinulot, Dinalupihan, Bataan, where the property is located at the expense of the petitioner and to submit to this court the certificate of posting on or before the date of hearing.

The Register of Deeds of the Province of Bataan or any of his authorized representatives is hereby directed to produce the original copy of the title subject matter of this petition on said date and time of hearing and to issue a written certificate as to whether or not said title has any adverse claim, *lis pendens*, lien or encumbrance of whatever nature.

SO ORDERED.

Dinalupihan, Bataan, September 10, 2018.


MA. LOURDES ELTANAL-IGNACIO
Presiding Judge

Copy furnished:

1. Aimee M. Umali
2. Atty. Francis Miranda
3. The Register of Deeds, Balanga City, Bataan